

Item # _____

Prepared by: Darren Sanders
Engineering

Approved by: Lisa Kelly
County Attorney

A RESOLUTION APPROVING AMENDMENT NO. 8 TO CONTRACT NO. CA992518 WITH FISHER & ARNOLD, INC. FOR ENVIRONMENTAL AND DESIGN SERVICES FOR FITE ROAD FROM U.S. HIGHWAY 51 TO WOODSTOCK BOULEVARD AND A BRIDGE OVER THE CNIC RAILROAD AND APPROVING THE USE OF PREVIOUSLY APPROPRIATED FEDERAL THROUGH STATE FUNDING AND LOCAL MATCHING FUNDS FOR THE SAID AMENDMENT NO. 8. THIS ITEM REQUIRES AN EXPENDITURE OF COUNTY CIP FUNDS IN THE AMOUNT OF \$68,000.00 WITH EIGHTY PERCENT (80%) OF THE TOTAL COST (\$54,400.00) TO BE REIMBURSED WITH FEDERAL GRANT FUNDS FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION. SPONSORED BY COMMISSIONER WYATT BUNKER.

WHEREAS, Shelby County Government entered into a contract with Fisher & Arnold, Inc. dated August 28, 1998 for the design of Fite Road from U.S. Highway 51 to Woodstock Boulevard; and

WHEREAS, Shelby County has obtained approval for this project under the Tennessee Department of Transportation (TDOT) Transportation Improvement Program (TIP); and

WHEREAS, Environmental investigations are required by TDOT and the Tennessee Department of Environment and Conservation (TDEC) to determine potential impacts on properties being acquired for future road right-of-way; and

WHEREAS, Fisher & Arnold, Inc. has submitted Amendment No. 8 in the amount of \$68,000.00 to provide design and environmental services; and

WHEREAS, TDOT will reimburse eighty percent (80%) of the costs for the said Amendment No. 8; and

WHEREAS, CIP funds in the amount of \$250,000.00 were appropriated by Resolution No. 9 adopted on October 10, 2005 for design services of Fite Road; and

WHEREAS, Of the said \$250,000.00, \$41,628.00 remains unencumbered; and

WHEREAS, Additional CIP funds in the amount of \$327,000.00 were appropriated by Resolution No. 19 adopted on August 28, 2006 for the right-of-way phase of Fite Road; and

WHEREAS, None of the said \$327,000.00 has been encumbered; and

WHEREAS, Costs to be incurred pursuant to the said Amendment No. 8 are allowable costs under the funding agreements approved by the aforementioned resolutions; and

WHEREAS, It is necessary to designate \$68,000.00 of the aforesaid appropriated but unencumbered amounts for funding Amendment No. 8 to Fisher & Arnold, Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That Amendments No. 8 to the contract with Fisher & Arnold, Inc. is hereby approved.

BE IT FURTHER RESOLVED, That the use of \$41,628.00 of the amount appropriated in Resolution No. 9 adopted on October 10, 2005 and \$26,372.00 of the amount appropriated in Resolution No. 19 adopted on August 28, 2006 for the said Amendment No. 8 is hereby approved.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute the aforementioned contract amendments on behalf of Shelby County Government, executed copies of which are to be placed on file in the Contracts Administration Section of the Office of the County Attorney.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance be are authorized to issue their warrant or warrants in amounts not to exceed \$68,000.00 for the purposes contained in this resolution to Fisher and Arnold, Inc. and to take proper credit in their accounting therefor.

A C Wharton, Jr.
County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED _____

Summary Sheet

I. Description of Item

The project is the design and construction of Fite Road to reroute it with a bridge over the CNIC Railroad. The new four lane road and bridge will connect Woodstock Boulevard to U.S. Highway 51.

This resolution funds environmental investigations required by the Tennessee Department of Transportation (TDOT) and the Tennessee Department of Environment and Conservation (TDEC) to analyze areas that have a potential for environmental issues based on historical data prior to the purchase of right-of-way. In the event environmental remediation is necessary, those costs will be deducted from appraised values of the parcels prior to right-of-way payments.

II. Source and Amount of Funding

The new work contemplated by the proposed Contract Amendment No. 8 would be 80% funded by the U.S. Government through TDOT under the Surface Transportation Program (STP).

The total amount of this proposed amendment is \$68,000.00
(80% Federal Funds - \$54,400.00 and 20% Local Funds - \$13,600.00)

A. Amount Expended/Budget Line Item

Funds have been appropriated by Resolution Item #9 adopted October 10, 2005 for preliminary engineering services for the Fite Road Project in the amount of \$250,000.00 and by Resolution #19 adopted August 28, 2006 for the right-of-way phase of the same project in the amount of \$327,000.00.

Original Appropriation (Encumbrance S007121 for design phase)	\$250,000.00
Prior Encumbrances (Amendments #4, 5, 6 & 7)	<208,372.00>
Balance	41,628.00
Proposed Amount to be Applied to Amendment #8	< 41,628.00>
Balance if Approved	<u>\$ 0.00</u>

Original Appropriation (Encumbrance S007792 for right-of-way phase)	<u>\$327,000.00</u>
Balance	\$327,000.00
Proposed Amount to be Applied to Amendment #8	< 26,372.00>
Balance if Approved	<u>\$300,628.00</u>

B. All Costs (Direct/Indirect) including this request.

1. Consultant's fee: \$841,514.00 (\$565,142.00 was appropriated prior to funding the project through the Transportation Improvement Program)

C. Additional or Subsequent Obligations or Expenses of Shelby County

1. Right-of-way: \$300,628.00 (\$60,125.60 in County funds)
2. Construction: \$10,000,000.00 (\$2,000,000.00 in County funds)

III. Contract Items

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|---------------------|----------|
| A. Type of Contract | Standard |
| B. Terms | Routine |

IV. Additional Information Relevant to Approval of This Item

TDOT has issued the County a “Notice to Proceed” for the right-of-way acquisition phase. It will take approximately six months to acquire the properties and construction is anticipated to begin in early 2010. Funding for this project is being cost-shared between Shelby County (20%) and TDOT/Federal Highway Administration (FHWA) (80%).